

General Assembly

Raised Bill No. 7253

January Session, 2017

LCO No. 5116



Referred to Committee on EDUCATION

Introduced by: (ED)

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AN ACT CONCERNING MINOR REVISIONS AND ADDITIONS TO THE EDUCATION STATUTES.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

- Section 1. Section 10-14n of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2017*):
 - (a) As used in this section, "mastery examination" means (1) for students enrolled in grades three to eight, inclusive, an examination or examinations, approved by the State Board of Education, that measures essential and grade-appropriate skills in reading, writing or mathematics, (2) for students enrolled in grades five, eight and ten, an examination, approved by the State Board of Education, that measures essential and grade-appropriate skills in science, and (3) for students enrolled in grade eleven, a nationally recognized college readiness assessment, approved by the State Board of Education, that measures essential and grade-appropriate skills in reading, writing and mathematics.
- 14 (b) (1) For the school year commencing July 1, 2015, and each school

LCO No. 5116 **1** of 16

year thereafter, each student enrolled in grades three to eight, inclusive, and grade eleven in any public school shall, annually, take a mastery examination in reading, writing and mathematics during the regular school day.

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- (2) For the school year commencing July 1, 2013, and each school year thereafter, each student enrolled in grades five, eight and ten in any public school shall, annually, in March or April, take a state-wide mastery examination in science during the regular school day.
- (c) (1) Mastery examinations, as defined in subdivision (1) of subsection (a) of this section, given to students enrolled in grades three to eight, inclusive, pursuant to subdivision (1) of subsection (b) of this section, shall be provided by and administered under the supervision of the State Board of Education.
- 28 (2) Mastery examinations, as defined in subdivision (2) of subsection 29 (a) of this section, given to students enrolled in grades five, eight and 30 ten, pursuant to subdivision (2) of subsection (b) of this section, shall 31 be provided by and administered under the supervision of the State 32 Board of Education.
- (3) Mastery examinations, as defined in subdivision (3) of subsection (a) of this section, given to students enrolled in grade eleven, pursuant to subdivision (1) of subsection (b) of this section, shall be paid for by the State Board of Education and administered by the provider of such nationally recognized college readiness assessment in accordance with the provisions of the agreement between the state board and such provider, pursuant to section 10-14x.
 - (d) The scores on each component of the mastery examination, as defined in subdivision (3) of subsection (a) of this section, for each eleventh grade student may be included on the permanent record and transcript of each such student who takes such examination. For each eleventh grade student who meets or exceeds the state-wide mastery goal level on any component of the mastery examination, a

LCO No. 5116 **2** of 16

certification of having met or exceeded such goal level shall be made on the permanent record and the transcript of each such student and such student shall be issued a certificate of mastery for such component.

- (e) No public school may require achievement of a satisfactory score on a mastery examination, or any subsequent retest on a component of such examination as the sole criterion of promotion or graduation.
- (f) (1) For the school year commencing July 1, 2015, and each school year thereafter, the scores on each component of the mastery examination for students who are English language learners, as defined in section 10-76kk, and who have been enrolled in a school in this state or another state for fewer than twenty school months, shall not be used for purposes of calculating the [school performance index, pursuant to section 10-223e, or the district performance index, pursuant to section 10-262u] accountability index, as defined in section 10-223e, for a school or school district.
- (2) For the school year commencing July 1, 2015, and each school year thereafter, mastery examinations pursuant to subsection (b) of this section shall be offered in the most common native language of students who are English language learners taking such mastery examinations and any additional native languages of such students when mastery examinations in such native languages are developed and have been approved by the United States Department of Education.
- (g) Not later than August fifteenth of each school year, the Department of Education shall notify each local and regional board of education of the scores of students under the jurisdiction of the board on the mastery examination administered during the previous school year.
- Sec. 2. Subsection (g) of section 10-145b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July*

LCO No. 5116 3 of 16

77 1, 2017):

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- 78 (g) On or after July 1, 1989, and prior to July 1, [2016] 2018, to 79 qualify for a professional educator certificate, a person who holds or 80 has held a provisional educator certificate under subsection (e) of this 81 section shall have completed thirty credit hours of course work beyond 82 the baccalaureate degree. It is not necessary that such course work be 83 taken for a master's degree and such work may include graduate or 84 undergraduate courses. On and after July 1, [2016] 2018, to qualify for 85 a professional educator certificate, a person who holds or has held a provisional educator certificate under subsection (d) of this section 86 87 shall hold a master's degree in an appropriate subject matter area, as 88 determined by the State Board of Education, related to such teacher's 89 certification endorsement area.
- Sec. 3. Subdivision (7) of section 10-1440 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July* 1, 2017):
 - (7) "Professional educator certificate" means a license to teach issued on or after July 1, 1989, initially to a person who has successfully completed not less than three school years of teaching in a public school or nonpublic school approved by the State Board of Education while holding a provisional educator or provisional teaching certificate and prior to July 1, [2016] 2018, has successfully completed not fewer than thirty semester hours of credit beyond a bachelor's degree, and on and after July 1, [2016] 2018, holds a master's degree in an appropriate subject matter area, as determined by the State Board of Education, related to such person's certification endorsement area. Said certificate shall be continued every five years after issuance;
- Sec. 4. Subsection (j) of section 10-223h of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July* 106 1, 2017):
- 107 (j) (1) [The] Not later than September 15, 2017, and annually

LCO No. 5116 **4** of 16

thereafter, the Commissioner of Education shall annually submit a report on the academic performance of each school participating in the commissioner's network of schools to the joint standing committee of the General Assembly having cognizance of matters relating to education, in accordance with the provisions of section 11-4a. Such report shall include, but not be limited to, (A) the accountability index score, as defined in section 10-223e, for such school, (B) trends for the accountability index scores during the period that such school is participating in the commissioner's network of schools, (C) adjustments for subgroups of students at such school, including, but not limited to, students whose primary language is not English, students receiving special education services and students who are eligible for free or reduced price lunches, and (D) performance evaluation results in the aggregate for teachers and administrators at such school.

(2) [The] Not later than September 15, 2017, and annually thereafter, the Commissioner of Education shall annually submit a report comparing and analyzing the academic performance of all the schools participating in the commissioner's network of schools to the joint standing committee of the General Assembly having cognizance of matters relating to education, in accordance with the provisions of section 11-4a. Such report shall include, but not be limited to, (A) the accountability index score, as defined in section 10-223e, for the school, (B) trends for the accountability indices during the period that such schools are participating in the commissioner's network of schools, (C) adjustments for subgroups of students at such schools, including, but not limited to, students whose primary language is not English, students receiving special education services and students who are eligible for free or reduced price lunches, and (D) performance evaluation results in the aggregate for teachers and administrators at such schools.

(3) [Following] Not later than September fifteenth following the expiration of the turnaround plan for each school participating in the

LCO No. 5116 **5** of 16

commissioner's network of schools, the commissioner shall submit a final report that (A) evaluates such turnaround plan and the academic performance of such school during the period that such turnaround plan was in effect, and (B) makes recommendations for the operation of such school to the joint standing committee of the General Assembly having cognizance of matters relating to education, in accordance with the provisions of section 11-4a.

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- (4) Not later than January 1, 2020, the commissioner shall submit a report (A) evaluating the commissioner's network of schools and its effect on improving student academic achievement in participating schools, and (B) making any recommendations for the continued operation of the commissioner's network of schools to the joint standing committee of the General Assembly having cognizance of matters relating to education, in accordance with the provisions of section 11-4a.
- (5) Not later than September thirtieth each year, the joint standing committee of the General Assembly having cognizance of matters relating to education shall meet with the Commissioner of Education and any other persons they deem appropriate to consider the items submitted pursuant to subdivisions (1) to (4), inclusive, of this subsection.
- Sec. 5. Subsection (a) of section 10-214 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July* 1, 2017):
 - (a) Each local or regional board of education shall provide annually to each pupil in kindergarten and grades one and three to five, inclusive, a vision screening, using a Snellen chart, or equivalent screening. The superintendent of schools shall give written notice to the parent or guardian of each pupil (1) who is found to have any defect of vision or disease of the eyes, with a brief statement describing such defect or disease and a recommendation for the pupil to be

LCO No. 5116 **6** of 16

- 172 <u>examined by an optometrist licensed under chapter 380 or an</u>
- 173 ophthalmologist licensed under chapter 370, and (2) who did not
- 174 receive such vision screening, with a brief statement explaining why
- such pupil did not receive such vision screening.
- Sec. 6. Subsection (c) of section 10-91g of the general statutes is
- 177 repealed and the following is substituted in lieu thereof (*Effective from*
- 178 passage):
- 179 (c) The Auditors of Public Accounts shall conduct the audit 180 described in subsection (b) of this section as follows: (1) [At least once 181 for each private provider] Using a risk-based approach, audits of 182 private providers of special education services [during a period of 183 seven years] will occur at a frequency the Auditors of Public Accounts 184 deem necessary, except that no private provider of special education 185 services shall have its records and accounts so examined more than 186 once during such five-year period, unless the auditors have found a 187 problem with the records and accounts of such private provider of 188 special education services during such five-year period; (2) [as 189 practical, approximately half of such audits [conducted in a year] shall 190 be of private providers of special education services approved by the 191 Department of Education and [approximately half of such audits 192 conducted in such year shall be of private providers of special 193 education services not approved by the Department of Education; and 194 (3) priority of conducting such audits, as practical, shall be given to 195 those private providers of special education services (A) that receive 196 the greatest total amount of state or local funds for the provision of 197 special education services to students, (B) that provide special 198 education services to the highest number of students for whom an 199 individual services plan has been written by a local or regional board 200 of education, and (C) that have a highest proportion of state and local 201 funds for the provision of special education services in relation to their 202 total operational expenses.
- Sec. 7. Section 10-91h of the general statutes is repealed and the

LCO No. 5116 **7** of 16

following is substituted in lieu thereof (*Effective from passage*):

- 205 Each local and regional board of education shall annually provide to 206 the Auditors of Public Accounts (1) the number of students under the 207 jurisdiction of such board of education who receive special education 208 and related services from a private provider of special education 209 services, as defined in section 10-91g, as amended by this act, [and] (2) 210 the amount of money paid to such private providers of special 211 education services by the board during the previous fiscal year, and (3) 212 any other information the Auditors of Public Accounts deem necessary 213 to conduct an audit of such private providers of special education 214 services pursuant to section 10-91g, as amended by this act.
- Sec. 8. Subsection (i) of section 2-90 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

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- (i) Said auditors shall audit, in accordance with the provisions of section 10-91g, as amended by this act, the records and accounts of any private provider of special education services, as defined in said section. Any private provider of special education services being audited by said auditors shall provide any information said auditors deem necessary to conduct such audit.
- Sec. 9. Subsection (a) of section 10-16nn of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):
- 227 (a) There is established an Interagency Council for Ending the 228 Achievement Gap. The council shall consist of: (1) The Lieutenant 229 Governor, the Lieutenant Governor's designee, 230 Commissioner of Education, or the commissioner's designee, (3) the 231 Commissioner of Children and Families, or the commissioner's 232 the Commissioner of Social Services, or designee, (4)233 commissioner's designee, (5) the Commissioner of Public Health, or the 234 commissioner's designee, (6) the president of the Connecticut State

LCO No. 5116 8 of 16

- 235 Colleges and Universities, or the president's designee, (7) the
- 236 Commissioner of Economic and Community Development, or the
- 237 commissioner's designee, (8) the Commissioner of Administrative
- 238 Services, or the commissioner's designee, (9) the Secretary of the Office
- of Policy and Management, or the secretary's designee, [and] (10) the
- 240 Commissioner of Housing, or the commissioner's designee, and (11)
- 241 the Chief Court Administrator, or the Chief Court Administrator's
- 242 <u>designee</u>. The chairperson of the council shall be the Lieutenant
- 243 Governor, or the Lieutenant Governor's designee. The council shall
- 244 meet at least quarterly.
- Sec. 10. Subsection (h) of section 10-145d of the general statutes is
- repealed and the following is substituted in lieu thereof (Effective July
- 247 1, 2017):
- 248 (h) Any person who is a licensed marital and family therapist,
- 249 pursuant to section 20-195c, or a candidate for licensure as a marital
- and family therapist, and employed by a local or regional board of
- education as a marital and family therapist shall provide services to
- students, families and parents or guardians of students. Not later than
- July 1, 2014, the State Board of Education shall, in accordance with the
- 254 provisions of chapter 54, adopt regulations to implement the
- 255 provisions of this subsection and provide standards for the 256 certification of marital and family therapists employed by local or
- certification of marital and family therapists employed by local or
- 257 regional boards of education. Such regulations shall authorize marital
- and family therapists employed by a local or regional board of
- education to provide services to students, families and parents or
- guardians of students and include certification requirements to be met by (1) licensure as a marital and family therapist under section 20-195c,
- 262 and (2) such other experience as the State Board of Education deems
- appropriate for the position of marital and family therapist in a school
- 264 system.
- Sec. 11. (NEW) (Effective July 1, 2017) A local or regional board of
- 266 education may establish a Pipeline for Connecticut's Future program.

LCO No. 5116 9 of 16

Under the program, a local or regional board of education shall partner with one or more local businesses to offer on-site training and course credit to students.

Sec. 12. (Effective from passage) The Department of Education shall conduct a study regarding the October first reporting date for purposes of interdistrict magnet school enrollment, as prescribed in subdivision (1) of subsection (d) of section 10-264l of the general statutes. The study shall examine the feasibility of extending such reporting date by at least one calendar month, and shall include, but not be limited to, an analysis of how such extension will impact (1) magnet school operators and local and regional boards of education, and (2) state grants relating to interdistrict magnet schools, such as prior year adjustments and other reconciliations that are designed to keep school districts whole. Not later than January 1, 2018, the department shall submit such study and any recommendations to the joint standing committee of the General Assembly having cognizance of matters relating to education, in accordance with the provisions of section 11-4a of the general statutes.

Sec. 13. Subsection (d) of section 10-7600 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July* 1, 2017):

(d) For the school year commencing July 1, [2016] 2017, and each school year thereafter, if the department purchases a digital individualized education program under this section, the department shall initially provide such digital individualized education program form software to [fifty per cent of the local and regional boards of education and to fifty per cent of the technical high schools under the jurisdiction of the technical high school system] at least ten local or regional boards of education, one of which may be the technical high school system. For the school year commencing July 1, [2017] 2018, and each school year thereafter, the department shall provide the digital individualized education program form software to [the remaining

LCO No. 5116 10 of 16

299 fifty per cent of the each local and regional [boards] board of 300 education and to the [remaining fifty per cent of the technical high schools under the jurisdiction of the technical high school system.

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Sec. 14. Section 10-4b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2017*):

(a) Any resident of a local or regional school district, or parent or guardian of a student enrolled in the public schools of such school district who has been unable to resolve a complaint with the board of education of such local or regional school district may file with the State Board of Education a complaint in writing, or the state board may initiate a complaint, alleging the failure or inability of the board of education of such local or regional school district to implement the educational interests of the state in accordance with section 10-4a. If the state board, or its designee, finds such complaint to be substantial, it shall notify the local or regional board of such complaint and shall designate an agent who shall conduct a prompt investigation in accordance with procedures established by said state board and report the results of such investigation to the state board. The agent of the State Board of Education, in conducting an investigation, may summon by subpoena any records or documents related to the investigation. If the findings indicate that there is reasonable cause to believe that a local or regional board of education has failed or is unable to make reasonable provision to implement the educational interests of the state as defined in section 10-4a or that a local governmental body or its agent is responsible for such failure or inability, said state board shall conduct an inquiry. The State Board of Education shall give the board of education or a local governmental body or its agent involved the opportunity to be heard in accordance with the provisions of sections 4-176e to 4-184. Said state board may summon by subpoena any person whose testimony may be pertinent to the inquiry and any records or documents related to the provision of public education in the school district. For purposes of this section, "public school" includes any school under the jurisdiction of a local or

LCO No. 5116 11 of 16 regional board of education, state or local charter school, as such terms are defined in section 10-66aa, interdistrict magnet school, technical high school, agricultural science and technology education center, as described in section 10-64, and incorporated or endowed high school or academy approved under the provisions of section 10-34; and "local or regional board of education" includes a local or regional board of education, governing council of a state charter school, interdistrict magnet school operator, as described in section 10-264l, regional educational services center, as defined in section 10-282, the technical high school system board, a cooperative arrangement committee established pursuant to section 10-158a, and the board of trustees of an incorporated or endowed high school or academy approved pursuant to section 10-34.

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(b) If, after conducting an inquiry in accordance with subsection (a) of this section, the state board finds that a local or regional board of education has failed or is unable to implement the educational interests of the state in accordance with section 10-4a, the state board shall (1) require the local or regional board of education to engage in a remedial process whereby such local or regional board of education shall develop and implement a plan of action through which compliance may be attained, or (2) order the local or regional board of education to take reasonable steps where such local or regional board has failed to comply with subdivision (3) of section 10-4a. Where a local or regional board of education is required to implement a remedial process pursuant to subdivision (1) of this subsection, upon request of such local or regional board, the state board shall make available to such local or regional board materials and advice to assist in such remedial process. If the state board finds that a local governmental body or its agent is responsible for such failure or inability, the state board may order such governmental body or agent to take reasonable steps to comply with the requirements of section 10-4a. The state board may not order an increase in the budgeted appropriations for education of such local or regional board of

LCO No. 5116 12 of 16

education if such budgeted appropriations are in an amount at least equal to the minimum budget requirement in accordance with section 10-262j. If the state board finds that the state is responsible for such failure, the state board shall so notify the Governor and the General Assembly.

- (c) Upon the failure of a local or regional board of education to implement a remedial process, or upon the failure of a local or regional board of education or local governmental body or its agent to comply with an order of the state board in accordance with subsection (b) of this section, said state board may seek an order from the Superior Court to compel such board of education to implement a remedial process or to compel a local or regional board of education or local governmental body or its agent to carry out the order of the State Board of Education.
- (d) The state board shall pursuant to the provisions of chapter 54 adopt regulations concerning procedures for purposes of this section.
- Sec. 15. Subsection (b) of section 10-157 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):
 - (b) A local or regional board of education may appoint as acting superintendent a person who is or is not properly certified for a probationary period, not to exceed one school year, with the approval of the Commissioner of Education. During such probationary period such acting superintendent shall assume all duties of the superintendent for the time specified and shall successfully complete a school leadership program, approved by the State Board of Education, offered at a public or private institution of higher education in the state. At the conclusion of such probationary period, such appointing local or regional board of education may request the commissioner to grant (1) a waiver of certification for such acting superintendent pursuant to subsection (c) of this section, or (2) a one-time extension of

LCO No. 5116 13 of 16

396 <u>such probationary period, not to exceed one additional school year, if</u>
397 <u>the commissioner determines that such board of education has</u>
398 demonstrated a significant need or hardship for such extension.

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- Sec. 16. (Effective from passage) There is established a task force to study issues relating to the governance, financing, general conduct and role of interscholastic athletics programs offered at high schools in the state. Such study shall include, but not be limited to, an examination of the following: (1) Barriers to participation in sanctioned interscholastic athletic activities, (2) the impact of nonsanctioned activities on interscholastic sports participation, (3) financing of interscholastic athletic teams, (4) policies regarding performance reviews of interscholastic schools by school districts, (5) the length of the athletic season for specific sports and restrictions on participation in interscholastic athletics, (6) academic requirements for participation in interscholastic athletics, (7) safety and sportsmanship of participants and spectators, and (8) issues relating to the participation of students enrolled in nonpublic schools and schools of choice.
- 413 (b) The task force shall consist of the following members:
- 414 (1) One appointed by the speaker of the House of Representatives;
- 415 (2) One appointed by the president pro tempore of the Senate;
- 416 (3) One appointed by the majority leader of the House of 417 Representatives, who is an official, referee or umpire of interscholastic 418 athletics;
- 419 (4) One appointed by the majority leader of the Senate;
- 420 (5) One appointed by the minority leader of the House of 421 Representatives, who is an athletic trainer for interscholastic sports;
- 422 (6) One appointed by the minority leader of the Senate;
- 423 (7) A representative of the Connecticut Interscholastic Athletic

LCO No. 5116 14 of 16

- 424 Conference;
- 425 (8) A representative of the Connecticut High School Coaches
- 426 Association; and
- 427 (9) A representative from the Connecticut Athletic Directors
- 428 Association.
- 429 (c) Any member of the task force appointed under subdivision (1),
- 430 (2), (3), (4), (5) or (6) of subsection (b) of this section may be a member
- 431 of the General Assembly.
- (d) All appointments to the task force shall be made not later than
- 433 thirty days after the effective date of this section. Any vacancy shall be
- filled by the appointing authority.
- (e) The speaker of the House of Representatives and the president
- 436 pro tempore of the Senate shall select the chairpersons of the task force
- from among the members of the task force. Such chairpersons shall
- 438 schedule the first meeting of the task force, which shall be held not
- later than sixty days after the effective date of this section.
- 440 (f) The administrative staff of the joint standing committee of the
- 441 General Assembly having cognizance of matters relating to education
- shall serve as administrative staff of the task force.
- 443 (g) Not later than January 1, 2017, the task force shall submit a
- 444 report on its findings and recommendations to the joint standing
- 445 committee of the General Assembly having cognizance of matters
- relating to education, in accordance with the provisions of section 11-
- 447 4a of the general statutes. The task force shall terminate on the date
- that it submits such report or January 1, 2017, whichever is later.

This act shall take effect as follows and shall amend the following sections:

Section 1 July 1, 2017 10-14n

LCO No. 5116 15 of 16

Sec. 2	July 1, 2017	10-145b(g)
Sec. 3	July 1, 2017	10-144o(7)
Sec. 4	July 1, 2017	10-223h(j)
Sec. 5	July 1, 2017	10-214(a)
Sec. 6	from passage	10-91g(c)
Sec. 7	from passage	10-91h
Sec. 8	from passage	2-90(i)
Sec. 9	from passage	10-16nn(a)
Sec. 10	July 1, 2017	10-145d(h)
Sec. 11	July 1, 2017	New section
Sec. 12	from passage	New section
Sec. 13	July 1, 2017	10-76oo(d)
Sec. 14	July 1, 2017	10-4b
Sec. 15	from passage	10-157(b)
Sec. 16	from passage	New section

Statement of Purpose:

To make minor revisions and additions to the education statutes.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]

LCO No. 5116 **16** of 16